			FILED		
1 2	VICKI H. YOUNG Law Offices of Vicki H. Young 706 Cowper Street, Suite 205 Palo Alto, California 94301	NOV U 2 2011  RICHARD W. WIEKING  NORTHERN DISTRICT COURT			
3 4	Telephone (415) 421-4347 Fax (650) 289-0636		SAN JÓSE <sup>F CALIFORNIA</sup>		
5	Counsel for Gustavo Colin Lopez				
6	IN THE UNITED STATES I	DIS	TRICT COURT		
7	IN THE UNITED STATES DISTRICT COURT  FOR THE NORTHERN DISTRICT OF CALIFORNIA				
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9					
10	UNITED STATES OF AMERICA,	)	No. CR 10-00823 DLJ		
11	Plaintiff,	)	STIPULATION RE CONTINUANCE OF STATUS DATE; [ <del>PROPOSED</del> ]		
12	V.	)	ORDER		
13	GUSTAVO COLIN LOPEZ,				
14	Defendant.	) _)			
15		,			
16	It is hereby stipulated between the defendant Gustavo Colin Lopez by and through his attorney				
17	of record VICKI H. YOUNG, and the government, through Assistant United States Attorney Thomas				
18	Colthurst, that the status date of November 8, 2011, at 9:00 a.m. be continued to November 15, 2011				
19	at 9:00 a.m. The reason for this continuance is that the attorney appointed to render a second opinion				
20	on the case has been out on medical leave, and defense counsel needs additional time to make				
21	arrangements for the defendant to consult with second counsel by telephone.				
22	Under Title 18 U.S. C. §3161(h)(7)(B)(iv), the continuance is necessary to allow the attorneys				
23	for the government and the defense the reasonable time necessary for effective preparation taking				
24	into the account the exercise of due diligence. Since the defendant needs additional time to make				
25	arrangements to speak with second counsel, the time period from November 8, 2011, through				
26	STIPULATION RE CONTINUANCE; [PROPOSED] ORDER - 1 -				

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1	November 15, 2011, should be excluded.				
2	It is so stipulated.				
3	Dated:	November 1, 2011	Respectfully submitted,		
4					
5			/s/ Vicki H. Voung		
6	:		/s/ Vicki H. Young VICKI H. YOUNG, ESQ. Attorney for Gustavo Colin Lopez		
7			Tittofficy for Gustavo Comi Lopez		
8	Dated:	November 1, 2011	MELINDA HAAG		
9	Batea.	140 veinteer 1, 2011	UNITED STATES ATTORNEY		
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11			<u>/s/ Thomas Colthurst</u> THOMAS COLTHURST		
12			Assistant United States Attorney		
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20	STIPULATION (PROPOSED	ON RE CONTINUANCE; o] ORDER	- 2 -		

PROPOSED ORDER

GOOD CAUSE BEING SHOWN, the status date appearance set for November 8, 2011, is continued to November 15, 2011. This Court finds that the period from November 8, 2011, through and including November 15, 2011, is excludable time under the Speedy Trial Act, 18 U.S.C. §3161(h). The basis for such exclusion is that defense counsel need additional time to make arrangements for the defendant to speak with second counsel by telephone. Therefore the ends of justice served by such a continuance outweigh the best interest of the public and the defendants in a Speedy Trial within the meaning of Title 18 U.S.C §3161(h)(7)(A).

As required by 18 U.S.C §3161 (h)(7)(A), this Court finds that the reason that the ends of justice outweigh the best interest of the public and the defendant in a speedy trial are the denial of the continuance would unreasonably deny both the attorney for the government and the attorney for the defendant reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. §3161(h)(7)(B)(iv).

DATED: 4-2-11

D. LOWELL JENSEN

SENIOR UNITED STATES DISTRICT JUDGE

STIPULATION RE CONTINUANCE [PROPOSED] ORDER